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1648

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Sabine Neiryck ) PATENT  
Serial No.: 09/498,046 ) Attorney Docket  
Filing Date: February 4, 2000 ) VIB-103.0  
For: NEW IMMUNOPROTECTIVE ) (1769/97843)  
INFLUENZA ANTIGEN AND )  
ITS USE IN VACCINATION ) Group Art No.  
Examiner: Stacy Brown Chen ) 1648  
Confirmation No. 8244

SUPPLEMENTAL INFORMATION  
DISCLOSURE STATEMENT

Mail Stop AMENDMENTS  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This Information Disclosure Statement supplements the Information Disclosure Statement already on file for this application. Additional art that may be material to the prosecution of this application has come to the attention of the applicants during prosecution of a related patent application in Australian. The new art is Australian Patent No. 783833, which is the national phase filing of WO 01/49866 (A1). A copy is enclosed, along with copies of two updated/corrected versions of the International Application listed as documents A2 and A3.

Pursuant to 37 C.F.R. §1.97, a list of the non-redundant documents (document A1-A3) that may be material to the examination of this application from prosecution of the Australian patent is provided on the attached Form PTO-1449.

The enclosed art only includes the non-US patent-related disclosures, inasmuch as the US Patent and published US application art need not be physically supplied. However, should physical copies of the patent-related art be requested, counsel will provide it.

No inferences should be drawn that the attached list represents a comprehensive investigation, or that any material disclosed is equivalent to the subject invention. In addition, none of the documents that have publication dates prior to the priority date of the above application anticipate the invention in this application.

The cited documents disclose numerous specific features. There has been no attempt to list each and every feature disclosed by each document. The Examiner is requested to review the documents and determine the extent of the materiality of the document disclosures with respect to the present invention.

The discussion of any art and the citation of any document herein is not to be construed as an admission that the art or document disclosure is necessarily within the invention field of endeavor, that the art or document disclosure is necessarily prior in time to a particular date which may be relevant to the instant patent application, and/or that the art or document disclosure is otherwise necessarily prior art as defined by the patent law with respect to the instant invention and application.

Also, there is reserved the right to later set forth how the instant invention is distinguished over the disclosure of any document or other art, including the disclosures of the art and documents recited herein, that may be cited by the Examiner in rejecting a claim in the instant patent application.


Serial No.: 09/498,046

The recitation herein of the art and documents is not to be construed as an assertion that more pertinent art could not possibly be in existence.

No further fee or petition is believed to be necessary. However, should any further fee be needed, please charge our Deposit Account No. 23-0920, and deem this paper to be the required petition.

The Examiner is requested to phone the undersigned should any questions arise that can be dealt with over the phone to expedite this prosecution.

Respectfully submitted,

By   
Edward P. Gamson, Reg. No. 29,381

Enclosures

Form PTO-1449 and Art  
IDS Fee

WELSH & KATZ, LTD.  
120 South Riverside Plaza, 22nd Floor  
Chicago, Illinois 60606  
Phone (312) 655-1500  
Fax No. (312) 655-1501



CERTIFICATE OF MAILING

I hereby certify that this Supplemental Information Disclosure, Form PTO-1449, Art and IDS Fee are being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Mail Stop Amendments, Commissioner For Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on April 26, 2007.

  
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10/24/2001 W&K Substitute for Form PTO-SB/08A, which is a US PTO  
Substitute for form 1449A/PTO and 1449B/PTO

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet	1	of	1
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**Complete if Known**

Application Number	09/498,046
Filing Date	February 4, 2000
First Named Inventor	Sabine Neiryneck
Prior Art Unit	1648
Examiner Name	Stacy Brown Chen
Attorney Docket Number	VIB-103.0

## U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code <sup>2</sup> (if known)			

## FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sub>0</sub>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				
	<b>A1</b>	WO 01/49886	07-12-2001			
	<b>A2</b>	WO 01/49886 A2	07-12-2001			
	<b>A3</b>	WO 01/59886 A3	07-12-2001			

## OTHER ART - NON PATENT LITERATURE DOCUMENTS

[illegible]

Examiner Signature		Date Considered	
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kind Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST. 3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

**Burden Hour Statement:** This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.**